

Message

From: CN=Tami Fordham/OU=R10/O=USEPA/C=US [CN=Tami Fordham/OU=R10/O=USEPA/C=US]
Sent: 12/2/2009 6:50:51 PM
To: CN=Wenona Wilson/OU=R10/O=USEPA/C=US@EPA
Subject: Fw: Army Corps - Pebble
Attachments: Tribal letter 10-31-09.pdf; Tami Fordham

Hi Wenona, This is some background information for you in regards to the meeting with John this afternoon. Since you are our R10 Tribal Consultation Specialist and you work with the gentleman from Ekwok Michelle thought it would be best to have John talk with you. So, hopefully this afternoon works for you.

Thanks - Tami

----- Forwarded by Tami Fordham/R10/USEPA/US on 12/02/2009 09:44 AM -----

MichelleV Davis/R10/USEPA/US
12/01/2009 04:07 PM
To Patricia McGrath/R10/USEPA/US@EPA
cc John Pavitt/R10/USEPA/US@EPA, Tami Fordham/R10/USEPA/US@EPA, Richard Cool/R10/USEPA/US@EPA
Subject Re: Fw: Army Corps - Pebble

Hi John;

Thanks for inviting me. Right now I do not work directly with the Tribes in the Bristol Bay Region. The Tribal Coordinators for that area are Wenona Wilson and Wes Foster in Seattle. I believe Wes works with the down river tribes and Wenona those nearest the lake. Another contact that you may wish to make is someone in the NPDES program, since they have oversight of the State's permitting actions. That being said, if you would like someone from the Tribal Office to participate, let me know.

As I read the questions that were framed for the meeting, it looks like an a discussion area will be the roles and responsibilities between EPA/ADEC/Corp and Tribal Governments. Something that might help address some of those questions is the letter that Elin Miller sent to Tribes after the NPDES program delegation, and the accompanying Office of Water's policy that describes how EPA will take steps to communicate with Tribes.

I have not had any contact with DEC recently, but Rick Cool told me that their August 2009 APDES capacity report said that ADEC has brought on a half time Tribal liaison. I'm not sure if that position is currently filled and don't have any contact information, but Sharon might be able to help out.

"ADEC appointed a half-time tribal liaison to assist permit writers with identification of affected tribes, facilitate program-tribe relationships, and manage an EPA State Environmental Justice Cooperative Agreement (SEJCA) project to develop a protocol for tribal involvement in APDES permit decisions. The tribal liaison is a temporary assignment until APDES is fully implemented."

Hope this is helpful. I'll call you in a few minutes to share with you what I know about the possible meeting participants. Most are associated with a Nunamta Aulukestai a nonprofit composed of tribal governments and village corporations.
<http://www.nunamta.org/>

Hope this is helpful.

Michelle V. Davis
Tribal Coordinator
phone: 907.271-3434 fax: 907.271-6340
Tribal Office page: <http://yosemite.epa.gov/r10/tribal.nsf>

From: Patricia McGrath/R10/USEPA/US
To: John Pavitt/R10/USEPA/US@EPA
Cc: MichelleV Davis/R10/USEPA/US@EPA, Tami Fordham/R10/USEPA/US@EPA
Date: 11/30/2009 03:53 PM
Subject: Re: Fw: Army Corps - Pebble

John -

I would like to chat with you at some point about this meeting. However, I will be at the NWMA conf for the rest of this week and I am not sure what my schedule looks like yet. I'll give you a call at some time on Wednesday, but go ahead and met with Tami and Michelle. I will be at home on Dec 7. Please call me at [Ex. 6 PII - home phone #] to conference me into the meeting (unless you have set up a meet me line). Though I will be out for the rest of the week, I will be checking voice and email. My EPA cell # for the week is 206-295-2716.

- Patty

John Pavitt/R10/USEPA/US
11/30/2009 04:46 PM
To Tami Fordham/R10/USEPA/US@EPA, MichelleV Davis/R10/USEPA/US@EPA
cc Patricia McGrath/R10/USEPA/US@EPA
Subject Fw: Army Corps - Pebble

Hi Tami and Michelle.

Next Monday, 12/7, I will be meeting with David Chambers, Center for Science in the Public Interest. He asked for a meeting to talk about concerns with the possibility of Pebble being developed. He has 4 questions for me, and it would help me to talk to one or both of you about question # 4. Would either of you have time on Wed this week, to talk about a possible process for tribal consultation re: Pebble? I'm available all day.

Patty, FYI, the Army Corps was invited by Mr. Chambers. Dave Casey, who I know from the Pebble Steering Committee, will join us at the Anchorage Ops Office. You had recommended Cindy Godsey join us for this meeting, but she will be traveling to Seattle that day.

Thanks.

John Pavitt
US EPA, Region 10, Alaska Operations Office
(907) 271-3688
(907) 271-3424 (Fax)
----- Forwarded by John Pavitt/R10/USEPA/US on 11/30/2009 03:38 PM -----

"David Chambers" <dchambers@csp2.org>
11/16/2009 08:19 AM
Please respond to
<dchambers@csp2.org>

To John Pavitt/R10/USEPA/US@EPA
cc "'Casey, Dave C POA'" <Dave.C.Casey@usace.army.mil>

Subject RE: Army Corps - Pebble

John:

I work with a number of NGOs to look at the technical aspects (geochemistry, hydrology, mining and processing, fisheries) of the Pebble mine. Ultimately we will be commenting on the EIS for the mine.

The issues we would like to discuss with you include:

1. What is the likelihood there will be an EIS on the Pebble Project if EPA no longer issues NPDES permits in Alaska?
2. What will EPA's role be in evaluating the EIS if it is no longer issuing an NPDES permit for the mine?
3. How will EPA, or a sister agency, evaluate the potential threat to fish related to the mine, road, and other likely development related to the Pebble Project?
4. How will tribal consultation work when EPA no longer has NPDES primacy in Alaska? What is the role of the Army Corps role in tribal consultation?

This list of attendees for the meeting is still somewhat tentative, but at this time appears to be:

David Chambers, Ph.D., Center for Science in Public Participation, (mining and acid mine drainage issues)
Kendra Zamzow, Ph.D., Center for Science in Public Participation, (geochemistry and water quality issues)
Carol Ann Woody, Ph.D. (fisheries biologist)
Luki Akelkok Sr. (Ekwok, AK)
Bobby Andrew (Aleknagik, AK)
Jeffrey Parker, attorney (tribal consultation issues)

-----Original Message-----

From: Pavitt.John@epamail.epa.gov [mailto:Pavitt.John@epamail.epa.gov]

Sent: Thursday, November 12, 2009 14:04

To: dchambers@csp2.org

Subject: RE: Army Corps - Pebble

Dave,

That's fine with me. To help me be prepared, can you please send me a brief description of your position, the purpose of the meeting, and the folks who will be accompanying you?

Thanks.

John Pavitt
US EPA, Region 10, Alaska Operations Office
(907) 271-3688
(907) 271-3424 (Fax)

John:

I have been in contact with Dave Casey of USACE attempting to set up a meeting with him on the Pebble mine. He has offered to come to Anchorage from Kenai to meet on December 7. Do you think it would be appropriate to invite Dave to our meeting since the topics will be quite similar?

Your thoughts would be appreciated.

Thanks;

Dave Chambers

-----Original Message-----

From: Pavitt.John@epamail.epa.gov [mailto:Pavitt.John@epamail.epa.gov]
Sent: Friday, October 30, 2009 14:31
To: Mcgrath.Patricia@epamail.epa.gov
Cc: dchambers@csp2.org
Subject: Re: Army Corps - Pebble

Dave, thank you for your follow up phone call this morning. I'll look forward to meeting you in EPA's Anchorage office on Monday 12/7.

John Pavitt
US EPA, Region 10, Alaska Operations Office
(907) 271-3688
(907) 271-3424 (Fax)

Patricia
McGrath/R10/USEP
A/US To
<dchambers@csp2.org>
10/28/2009 03:02 cc
PM John Pavitt/R10/USEPA/US@EPA
Subject
Re: Army Corps - Pebble(Document
link: John Pavitt)

Dave -

I don't know. I am ccing John Pavitt, who is EPA's primary point of contact for Pebble. John, can you answer Dave's question?

- Patty

"David Chambers"
<dchambers@csp2.
org> To
Patricia McGrath/R10/USEPA/US@EPA
10/28/2009 03:58 cc

PM

Subject

Army Corps - Pebble

Please respond

to

<dchambers@csp2.
org>

Patty:

Is Dave Casey the primary contact for ACOE on Pebble in Anchorage?

Dave



Tribal letter
10-31-09.pdf